

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 MARC D. GREENBAUM  
Supervising Deputy Attorney General  
3 MICHAEL A. CACCIOTTI  
Deputy Attorney General  
4 State Bar No. 129533  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2932  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. *2011-14*

11 **MARTHA FLORES**  
12 **64063 Baylor Mountain Court**  
**Desert Hot Springs, California 92240**  
13 **Registered Nurse License No. RN 493131**

**A C C U S A T I O N**

14 Respondent.

15  
16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
19 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
20 of Consumer Affairs.

21 2. On or about August 31, 1993, the Board of Registered Nursing issued Registered  
22 Nurse License Number RN 493131 to Martha Flores (Respondent). The Registered Nurse  
23 License was in full force and effect at all times relevant to the charges brought herein and will  
24 expire on March 31, 2011, unless renewed.

25 ///

26 ///

27 ///

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

2  
3  
4

## 5

6

7  
8  
9  
0  
1  
2  
3  
4  
5

6  
7  
8

9

20  
21

22

23

24  
25  
26

27

29

1       7.     Section 2764 provides, in pertinent part, that the expiration of a license shall not  
2     deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
3     to render a decision imposing discipline on the license. Under section 2811(b), the Board may  
4     renew an expired license at any time within eight years after the expiration.

5       8.     California Code of Regulations, title 16, section 1444, states:

6       “A conviction or act shall be considered to be substantially related to the qualifications,  
7     functions or duties of a registered nurse if to a substantial degree it evidences the present or  
8     potential unfitness of a registered nurse to practice in a manner consistent with the public health,  
9     safety, or welfare.”

#### 10                                   **COST RECOVERY**

11       9.     Section 125.3 provides, in pertinent part, that the Board may request the  
12     administrative law judge to direct a licensee found to have committed a violation or violations of  
13     the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
14     enforcement of the case.

#### 15                                   **CAUSE FOR DISCIPLINE**

##### 16                                   **(Convictions of Substantially Related Crimes)**

17       4.     Respondent is subject to disciplinary action under section 490 and section 2761,  
18     subdivision (f), in conjunction with California Code of Regulations, title 16, section 1444, in that  
19     Respondent was convicted of crimes which are substantially related to the qualifications,  
20     functions, and duties of a registered nurse.

21       a.     On or about December 2, 2008, after pleading nolo contendere, Respondent was  
22     convicted of one felony count of violating Penal Code section 529 [false personation] in the  
23     criminal proceeding entitled *The People of the State of California v. Martha Flores* (Super Ct.  
24     Los Angeles County, 2008, No. KA084234). The circumstances surrounding the conviction are  
25     as follows:

26       On or between July 1, 2008 and July 31, 2008, Respondent unlawfully and falsely  
27     impersonated Stephanie Bergstrom in a private and official capacity and in such assumed  
28

1 character verified, published, acknowledged and proved in the name of another, a written  
2 instrument, with intent that the same be recorded, delivered and used as true.

3 b. On or about December 2, 2008, after pleading nolo contendere, Respondent was  
4 convicted of one felony count of violating Penal Code section 496(a) [receiving stolen property]  
5 in the criminal proceeding entitled *The People of the State of California v. Martha Flores* (Super  
6 Ct. Los Angeles County, 2008, No. KA084234). The circumstances surrounding the conviction  
7 are as follows:

8 On or between July 1, 2009 and July 31, 2008, Respondent did unlawfully buy, receive,  
9 conceal, sell, withhold, and aid in concealing, selling, and withholding property, to wit,  
10 \$13,000.00, which had been stolen and obtained by extortion, knowing that said property had  
11 been stolen and obtained by extortion.

12 **PRAYER**

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
14 and that following the hearing, the Board of Registered Nursing issue a decision:

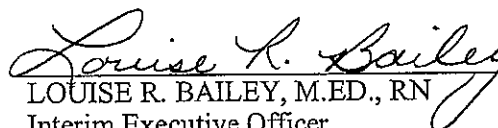
15 1. Revoking or suspending Registered Nurse License Number RN 493131, issued to  
16 Martha Flores Martha Flores.

17 2. Ordering Martha Flores to pay the Board of Registered Nursing the reasonable costs  
18 of the investigation and enforcement of this case, pursuant to Business and Professions Code  
19 section 125.3;

20 3. Taking such other and further action as deemed necessary and proper.

21  
22  
23 DATED: \_\_\_\_\_

7/7/10

  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

24  
25  
26  
27 LA2010500626  
28 60531641.docx